



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Michael R. Pence  
Governor

Carol S. Comer  
Commissioner

## VIA ELECTRONIC MAIL

December 31, 2015

Mr. Jeffrey J. Olyphant  
Peabody Midwest Mining, LLC  
7100 Eagle Crest Boulevard, Suite 100  
Evansville, Indiana 47715

Dear Mr. Olyphant:

:

Re: NPDES General Permit No. ING040002  
IDNR Permit No. S- 0222  
Peabody Midwest Mining, LLC- Viking  
Mine Knox Pit  
4421 N. Bicknell Road  
Bicknell, Indiana 47512  
Knox County

Our office has reviewed your NPDES Notice of Intent dated December 11, 2015, requesting modification of the above-referenced general permit coverage. In it you requested the following changes to your coverage:

**Outfall 028** (latitude 38°, 45', 09", longitude -87°, 16', 19", discharging to Indian Creek), and **Outfall 029** (latitude 38°, 44', 50", longitude -87°, 18', 04", discharging to an unnamed tributary to Indian Creek) are to be **removed from coverage**

We have reviewed your request and determined that the activities associated with it are not the result of any new or expanded permitted mining operations. Mining activity is a process of sequential coal removal and reclamation and as mining progresses and reclamation follows these activities will not result in any unanticipated discharges to a receiving stream.

The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. We have been in contact with representatives of the IDNR in Jasonville, Indiana who have confirmed that the outfalls may be removed as the drainage areas reporting to these outfalls have been completely reclaimed and remain stable. Therefore our office concurs that this request may be granted. Coverage for the facility will now include all outfalls listed on the first table of Attachment 1 to this correspondence.

These modifications will be deemed effective on **January 1, 2016**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all remaining outfalls remains effective, and will expire



A State that Works

Mr. Jeffrey J. Olyphant  
Page 2

on **September 30, 2020**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by approval under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief  
Permits Administration Section  
Office of Water Quality

Slj/

Attachment

cc: Knox County Health Department  
[THuff@dnr.in.gov](mailto:THuff@dnr.in.gov)  
[ANelson@peabodyenergy.com](mailto:ANelson@peabodyenergy.com)

IDEM  
OFFICE OF  
WATER QUALITYPEABODY MIDWEST MINING, LLC  
7100 Eagle Crest Boulevard  
Evansville, IN 47715  
812.434.8500

UPS

December 11, 2015

2015 DEC 15 A 10: 24

Indiana Dept. of Environmental Management  
Office of Water Management  
Permits Section  
100 North Senate Avenue  
Indianapolis, IN 46206-6015

**RE: Notice of Intent of Comply with 327 IAC 15-7**  
**Peabody Midwest Mining, LLC - Viking Mine – Knox Pit**  
**NPDES General Permit ING040002 - MODIFICATION**

02

Dear Sir or Madam:

On behalf of Peabody Midwest Mining, LLC, I am submitting the attached permit modification request for our Viking Mine – Knox Pit NPDES Permit ING040002. We are requesting to drop outfall 028 and 029 from the permit. The drainage areas reporting to these outfalls have been completely reclaimed and remain stable.

All changes have been discussed with DNR Reclamation Specialist Brad Loveless. Should you have any questions or comments regarding this submittal, please contact me at our Evansville office, (812) 434-8537.

Sincerely,

Jeffrey J. Olyphant  
Authorized Representative

cc: Viking Mine – Knox Pit NPDES  
Brad Loveless – DNR

Enclosures



Indiana Department of Environmental Management  
NPDES General Permit Notice of Intent (NOI) Letter Submittal Application  
327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

DEC 15 2015

<b>I. PURPOSE OF SUBMITTAL:</b>					12/11/2015
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.					
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING	
		<b>X</b>	<b>ING040002</b>	<b>Outfalls 028 and 029 are being dropped from the permit.</b>	

<b>II. GENERAL INFORMATION</b>										
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.										
a. APPLICANT NAME (TO THE ATTENTION OF)				e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER		
<b>Peabody Midwest Mining, LLC. Attn: Jeffrey J. Olyphant</b>				<b>1211</b>		<b>Knox</b>		<b>S-00222</b>		
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER						
<u>COMPANY NAME</u> <b>Peabody Midwest Mining, LLC.</b>				<u>Latitude</u>			<u>Longitude</u>			
<u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard</b>				<u>Degrees</u>	<u>minutes</u>	<u>seconds</u>	<u>degrees</u>	<u>minutes</u>	<u>seconds</u>	
<u>CITY</u> <b>Evansville,</b>	<u>STATE</u> <b>IN</b>	<u>ZIP CODE</u> <b>47715</b>	<b>38</b>	<b>44</b>	<b>06</b>	<b>87</b>	<b>17</b>	<b>44</b>		
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION						
<b>Peabody Midwest Mining, LLC. – Viking Mine – Knox Pit</b>				Township		Range		Section		Quartersection
				<b>Washington</b>		<b>8W</b>		<b>20, 139, 140 &amp; 149-151</b>		
				<b>Vigo</b>		<b>8W</b>		<b>21, 27, 28, 150-154 &amp; 241-245</b>		
				<b>Steen</b>		<b>9W</b>		<b>126, 127, 137-139, 153-155 &amp; 245</b>		
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM Iid						
<u>STREET ADDRESS</u> <b>4421 N. Bicknell Road</b>				<u>STREET ADDRESS</u> <b>N/A</b>						
<u>CITY</u> <b>Bicknell</b>	<u>STATE</u> <b>IN</b>	<u>ZIP CODE</u> <b>47512</b>	<u>CITY</u> <b>N/A</b>	<u>STATE</u> <b>N/A</b>		<u>STATE</u> <b>N/A</b>		<u>ZIP CODE</u> <b>N/A</b>		

<b>III. CONTACT INFORMATION AUTHORIZED SIGNATORY</b>	
This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
<b>Jeffrey J. Olyphant, Authorized Representative</b>	<b>Andy Nelson, Authorized Representative</b>
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
<b>(812) 434-8537</b>	<b>(812) 434-8516</b>
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
<b>jolyphant@peabodyenergy.com</b>	<b>anelson@peabodyenergy.com</b>

**IV. CONTACT INFORMATION OTHER:**

<b>DISCHARGE MONITORING REPORTS</b> CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> <b>Jeffrey J. Olyphant</b> <b>Peabody Midwest Mining, LLC.</b>	
a. <u>CONTACT TELEPHONE NUMBER</u> <b>(812) 434-8537</b>		d. <u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard</b>	
b. <u>CONTACT EMAIL ADDRESS</u> <u>jolyphant@peabodyenergy.com</u>		e. <u>CITY</u> <b>Evansville</b>	f. <u>STATE</u> <b>IN</b>
		g. <u>ZIP CODE</u> <b>47715</b>	
<b>ANNUAL FEE AND FINANCIAL</b> CONTACT AND BILLING ADDRESS		j. <u>COMPANY AND CONTACT PERSON NAME</u> <b>Jeffrey J. Olyphant</b> <b>Peabody Midwest Mining, LLC.</b>	
h. <u>CONTACT TELEPHONE NUMBER</u> <b>(812) 434-8537</b>		k. <u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard</b>	
i. <u>CONTACT EMAIL ADDRESS</u> <u>jolyphant@peabodyenergy.com</u>		l. <u>CITY</u> <b>Evansville</b>	m. <u>STATE</u> <b>IN</b>
		n. <u>ZIP CODE</u> <b>47715</b>	
<b>OTHER CONTACT AND MAILING INFORMATION</b> (SPECIFY BELOW)		q. <u>COMPANY AND CONTACT PERSON NAME</u> <b>Andy Nelson</b> <b>Peabody Midwest Mining, LLC.</b>	
o. <u>CONTACT TELEPHONE NUMBER</u> <b>(812) 434-8516</b>		r. <u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard</b>	
p. <u>CONTACT EMAIL ADDRESS</u> <u>jolyphant@peabodyenergy.com</u>		s. <u>CITY</u> <b>Evansville</b>	t. <u>STATE</u> <b>IN</b>
		u. <u>ZIP CODE</u> <b>47715</b>	

**V. RULE QUALIFICATION:**

The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.

Does this facility meet these requirements? (please check one) **YES** ☒ **NO** ☐

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.

**This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.**

**VI. OUTFALL INFORMATION:** Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER <b>OR if g is</b> <b>YES</b> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
<b>See Attachment VI</b>									Y / N		
									Y / N		
									Y / N		
									Y / N		
									Y / N		
									Y / N		

\* DWBF – Dry Weather Base Flow

## Attachment VI

**VI. OUTFALL INFORMATION:** Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER <b>OR if it is YES</b> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
002	002	38	44	21	87	17	07	0	Dropped	No	Unnamed tributary to Indian Creek
003	003	38	43	52	87	16	34	0	Alkaline	No	Unnamed tributary to Indian Creek
004	004	38	43	14	87	16	59	0	Dropped	No	Unnamed tributary to Ben's Creek
005	005	38	43	24	87	17	26	0	Dropped	No	Unnamed tributary to Ben's Creek
006	006	38	42	46	87	17	47	0	Alkaline	No	Ben's Creek
007	007	38	43	01	87	18	23	0	Dropped	No	Unnamed tributary to Ben's Creek
009	009	38	43	36	87	16	45	0	Alkaline	No	Unnamed tributary to Indian Creek
010	010	38	43	03	87	18	31	0	Reclamation	No	Unnamed tributary to Ben's Creek
011	011	38	44	16	87	17	02	0	Dropped	No	Unnamed tributary to Indian Creek
012	012	38	43	07	87	18	36	0	Reclamation	No	Unnamed tributary to Ben's Creek
013	013	38	42	51	87	18	45	0	Dropped	No	Unnamed tributary to Ben's Creek
020	020	38	45	24	87	17	17	0	Dropped	No	Indian Creek
025	025	38	44	23	87	16	40	0	Alkaline	No	Unnamed tributary to Indian Creek
026	026	38	45	08	87	17	40	0	Dropped	No	Unnamed tributary to Indian Creek
027	027	38	44	58	87	17	49	0	Dropped	No	Unnamed tributary to Indian Creek
<b>028</b>	<b>028</b>	<b>38</b>	<b>45</b>	<b>09</b>	<b>87</b>	<b>16</b>	<b>19</b>	<b>0</b>	<b>Dropped</b>	<b>No</b>	<b>Indian Creek</b>
<b>029</b>	<b>029</b>	<b>38</b>	<b>44</b>	<b>50</b>	<b>87</b>	<b>18</b>	<b>04</b>	<b>0</b>	<b>Dropped</b>	<b>No</b>	<b>Unnamed tributary to Indian Creek</b>
030**	030	38	45	28	87	17	30	0	Alkaline	No	Indian Creek
031**	031	38	45	25	87	18	02	0	Alkaline	No	Indian Creek
032**	032	38	45	30	87	18	26	0	Alkaline	No	Indian Creek
033	033	38	45	08	87	17	59	0	Dropped	No	Unnamed tributary to Indian Creek
034	034	38	45	06	87	17	59	0	Dropped	No	Unnamed tributary to Indian Creek

\*DWBF – Dry Weather Base Flow

\*\* unconstructed

**VII. OUTFALL INFORMATION FOR MODIFICATIONS:** Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
028	028	DEL	1/1/2016	The drainage area reporting to this outfall is fully reclaimed and the sediment basin is no longer needed.
029	029	DEL	1/1/2016	The drainage area reporting to this outfall is fully reclaimed and the sediment basin is no longer needed.

**VIII. TOPOGRAPHICAL MAP**

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

**A map of the facility is attached.**

**IX. PROOF OF PUBLICATION**

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:

Office of Environmental Adjudication  
Indiana Government Center – North  
100 North Senate Avenue, Room N501  
Indianapolis, Indiana 46204"

Please attach proof of publication of this statement from the newspaper to the application and submit both together.

**The public notice for this area was published with the original notice of intent and subsequent renewals. The outfalls being modified in this NOI are in an area that has previously been publically noticed.**

**X. POTENTIALLY AFFECTED PERSONS FORM**

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

**No additional persons are potentially affected by the modification(s) contained herein. The original permit application and subsequent renewal(s) included all potentially affected persons.**

**XI. REQUIRED FEES:**

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

**A check payable to IDEM in the amount of \$ 50.00 is attached to this application.**

**XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES**

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

**I have forwarded a copy of this renewal application as is required to Mr. Brad Loveless, Indiana Department of Natural Resources, Division of Reclamation, 14619 West State Road 48, Jasonville, IN 47438 on this date.**

**XIII. CERTIFICATION STATEMENT**

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

**"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."**

**Jeffrey J. Olyphant, Authorized Representative**

**(812) 434-8537**

Name and official title (type or print)

Area Code and phone No.

Signature

Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
NPDES Permits Section  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251**





## Identification of Potentially Affected Parties

State Form 49456 (7-99)

**Indiana Department of Environmental Management**  
Office of Water Management, Permits Section

The Administrative Orders and Procedures Act (AOPA) IC 4-21.5-3-5(b), requires that the Indiana Department of Environmental Management (IDEM) give notice of its decision on your application to the following persons:

- (a) each person to whom the decision is specifically directed;
- (b) each person to whom a law requires notice to be given;
- (c) each competitor who has applied to the IDEM for a mutually exclusive license, if issuance is the subject of the decision and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted;
- (d) each person who has provided the IDEM with a written request for notification of the decision;
- (e) each person who has a substantial and direct proprietary interest in the issuance of the (permit/variance);
- (f) each person whose absence as a party in the proceeding concerning the (permit/variance) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit/variance) and is so situated that the disposition of the matter, in the person's absence may:
  - (1) as a practical matter impair or impede the person's ability to protect that interest, or
  - (2) leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise inconsistent obligations by reason of the person's claimed interest.

IC 4-21.5-3-5(f) provides that we may request your assistance in identifying these people. Our failure to properly identify and notify these people of the decision could have the result of avoiding any decision which is made.

Additionally, IC 13-15-3-1 requires IDEM to send notice that the permit application has been received by the department to the following:

- (a) the board of county commissioners of a county affected by the permit application and
- (b) the mayor of a city that is affected by the permit application, or
- (c) the president of a town council of a town affected by the permit application

Please provide on the attached form the names of those persons affected by these statutes.

**I. Identification of Potentially Affected Persons**

Please list here any and all persons who you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with AOPA and to avoid reversal of a decision, please list all such parties. The letter attached to this form will further explain the requirements under the AOPA. Attach additional names and addresses on a separate sheet of paper, as needed. Please indicate below the type of action you are requesting.

Name: Street: City/State/Zip:	<b>There are no new Potentially Affected Persons in this submittal</b>	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:
Name: Street: City/State/Zip:		Name: Street: City/State/Zip:

**II. Please complete this form by signing the following statement.**

I certify to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.

Signature: 

Printed Name: **Jeffrey J. Olyphant**

Date: **12/11/15**

Facility Name: **Viking Mine – Knox Pit**

Facility Address: **Peabody Midwest Mining, LLC., 7100 Eagle Crest Blvd, Evansville, IN 47710**

**III. Type of Action (check one)**

- ☒ NPDES PERMIT – 327 IAC 5  
☐ PRETREATMENT PERMIT – 327 IAC 5  
☐ SEWER BAN WAIVER REQUEST – 327 IAC 4  
☐ CONSTRUCTION PERMIT – 327 IAC 3

**Return To:**

Indiana Department of Environmental Management  
Office of Water Quality  
Permits Section  
100 North Senate Avenue  
Indianapolis, IN 46204

## COMPLIANCE INSPECTION REPORT

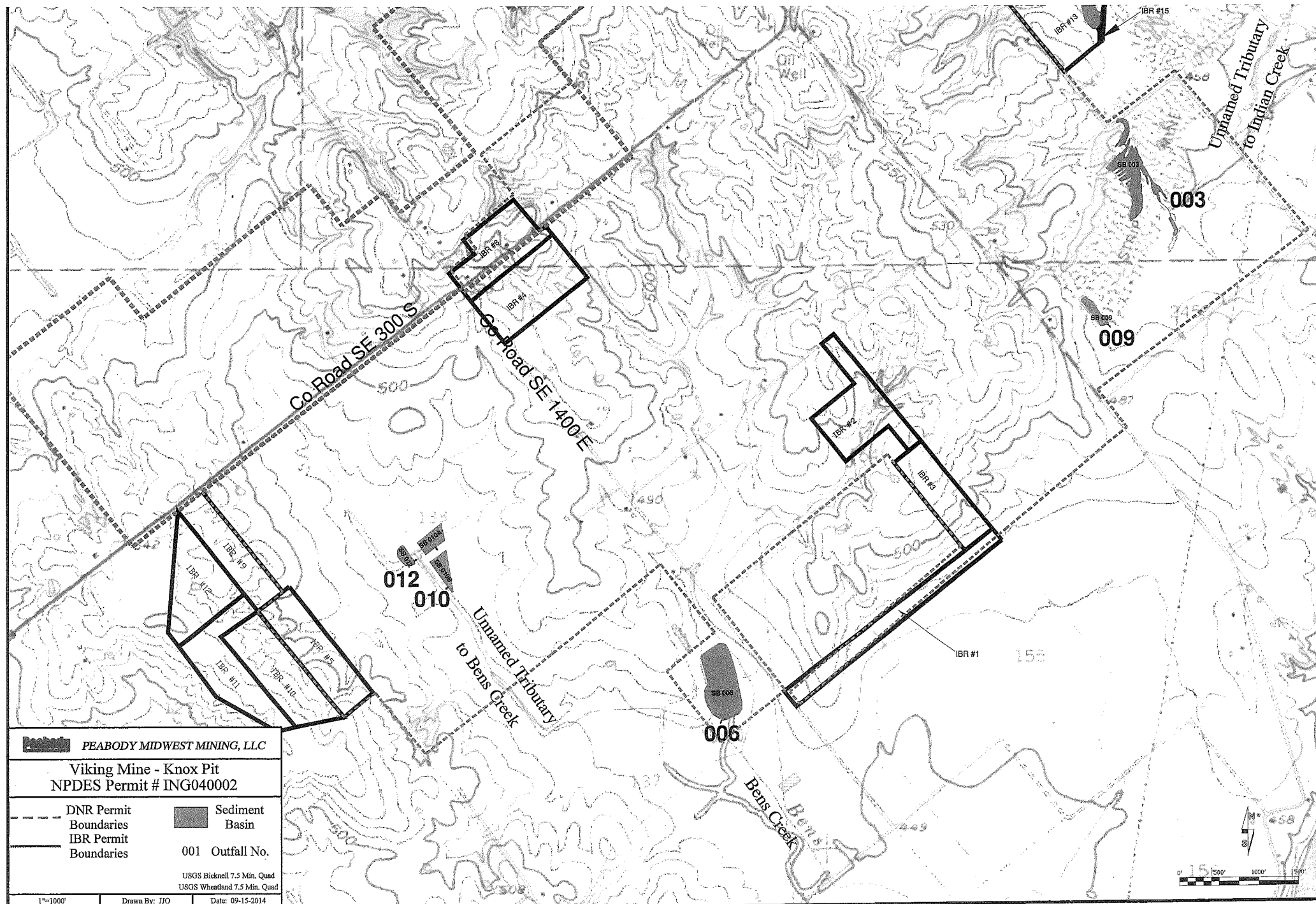
Page 4 of 4Permittee: Peabody Midwest Mining, LLCMine: Viking Mine - Knox PitSignature of Company Representative: NCOSUnit#: 281Date of Inspection: 09/22/2015Time: 09:00**COMMENTS:**

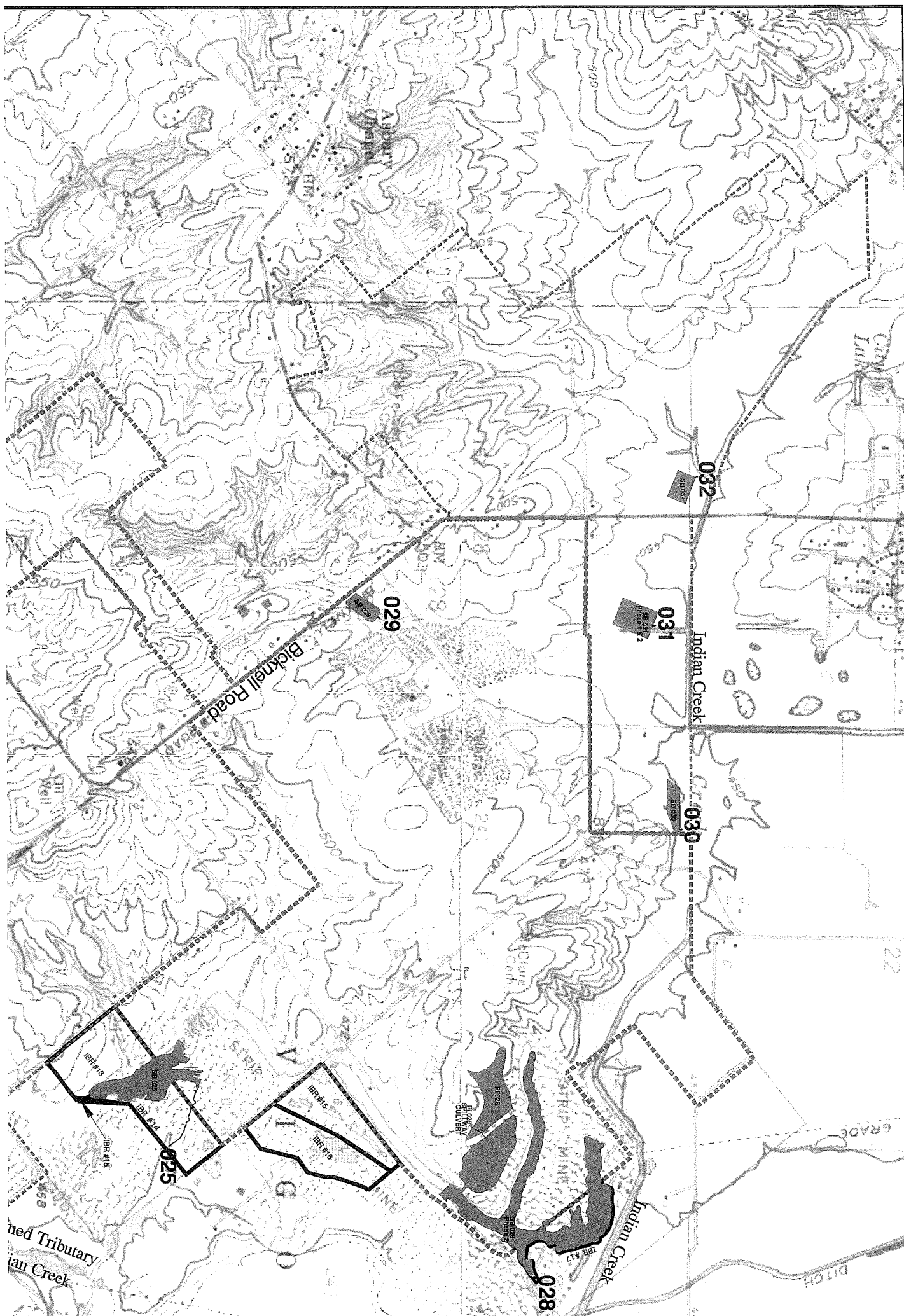
8) Coal fines in the coal processing area and abandoned coal pad have been removed from the site and disposed of in the refuse disposal pit. Discharge from basin 009 has remained in compliance. Surface water drainage is controlled by vegetation, diversions and sediment basins. Basins were discharging as follows: (Hach Kit)

NPDES NUMBER ING040002								
NPDES Outfall	SB/PI NO.	NPDES Status	Flow	pH	Fe mg/l	Sett. Solids	Insp Date	Notes:
003	003	ALK	L	8.0			09/22	(PA) clear
006	006	ALK	L	8.0			09/22	
009	009	ALK	NQ				09/22	(PA) clear
010	010B	REC	NQ				09/22	
012	012	REC	NQ				09/22	
025	025	ALK	NQ				09/22	clear
028**	028	REC						Not checked
029**	029	REC						Discharges into PI035
030	030	ALK						Not constructed yet
031	031	ALK						Not constructed yet
032	032	ALK						Not constructed yet
<b>Status:</b> Acidic: ACID Alkaline: ALK Eliminated: DROP Reclamation: REC Undetermined: UND <b>BOLD: ACTIVE</b>			<b>Flow:</b> None (N) Trickle (T) Low (L) Moderate (M) High (H)					

\*\*Basin 029 is eligible for removal/reclamation and elimination from NPDES monitoring. The watershed has been completely reclaimed in excess of two years and no effluent problems have been noted. Further, outfall 028 is also eligible for elimination from NPDES monitoring.

Signature: Bly S. L.
 Authorized Representative  
 Division of Reclamation
Date: October 2, 2015





## ATTACHMENT 1

**Peabody Midwest Mining LLC- Viking Mine – Knox Pit**NPDES PERMIT NO. ING040002EFFECTIVE DATE: January 1, 2016IDNR PERMIT NUMBER S-0222

## OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
003	SB-003	38°, 43', 52."	-87°, 16', 34"	Alkaline	Unnamed tributary to Indian Creek
006	SB-006	38°, 42', 46"	-87°, 17', 47"	Alkaline	Ben's Creek
009	SB-009	38°, 43', 36"	-87°, 16', 45"	Alkaline	Unnamed tributary to Indian Creek
010	SB-010	38°, 43', 3"	-87°, 18', 31"	Post-Mining	Unnamed tributary to Ben's Creek
012	SB-012	38°, 43', 7"	-87°, 18', 36"	Post-Mining	Unnamed tributary to Ben's Creek
025	SB-021	38°, 44', 23"	-87°, 16', 40"	Alkaline	Unnamed tributary to Indian Creek
030**	SB-030	38°, 45', 28"	-87°, 17', 30"	Alkaline	Indian Creek
031**	SB-031	38°, 45', 25"	-87°, 18', 02"	Alkaline	Indian Creek
032**	SB-032	38°, 45', 30"	-87°, 18', 26"	Alkaline	Indian Creek

\*\* designates a not yet constructed outfall

The following thirteen (13) outfalls have been removed and are no longer covered under this permit:

002	SB-002	38°, 44', 21.02"	-87°, 17', 6.8"	Outfall removed	Unnamed tributary to Indian Creek
004	SB-004	38°, 43', 14.46"	-87°, 16', 59.21"	Outfall removed	Unnamed tributary to Ben's Creek
005	SB-005	38°, 43', 23.95"	-87°, 17', 26.29"	Outfall removed	Unnamed tributary to Ben's Creek
007	SB-007	38°, 43', 0.9"	-87°, 18', 23.16"	Post-Mining	Unnamed tributary to Ben's Creek

011	SB-011	38°, 44', 16.08"	-87°, 17', 2.05"	Outfall removed	Unnamed tributary to Indian Creek
013	SB-013	38°, 42', 51.3"	-87°, 18', 44.6"	Post-Mining	Unnamed tributary to Ben's Creek
020	SB-020	38°, 45', 24"	-87°, 17', 17.09"	Fully reclaimed	Indian Creek
026	SB-026	38°, 45', 7.95"	-87°, 17', 39.9"	Fully reclaimed	Unnamed tributary to Indian Creek
027	SB-027	38°, 44', 57.7"	-87°, 17', 48.5"	Alkaline	Unnamed tributary to Indian Creek
<b><u>028</u></b>	SB-028	38°, 45', 9"	-87°, 16', 19"	<b><u>Fully Reclaimed</u></b>	Indian Creek
<b><u>029</u></b>	SB-029	38°, 44', 50"	-87°, 18', 4"	<b><u>Fully Reclaimed</u></b>	Unnamed tributary to Indian Creek
033	SB-033	38°, 45', 08"	-87°, 17', 59"	Outfall removed	Unnamed tributary to Indian Creek
034	SB-034	38°, 45', 06"	-87°, 17', 59"	Outfall Removed	Unnamed tributary to Indian Creek

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2015 – 12H -GP

DATE OF NOTICE: December 31, 2015

The Office of Water Quality issues the following **NPDES GENERAL PERMIT modification of coverage:**

**MODIFICATION**

**PEABODY MIDWEST MINING – Viking Mine Knox Pit**, Permit No. ING040002, KNOX COUNTY, Bicknell, IN. This facility has removed two outfalls which previously discharged to Indian Creek and an unnamed tributary to Indian Creek. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. Permit Manager: Sheri L. Jordan at (317) 232-8703 or email at [sjordan@idem.IN.gov](mailto:sjordan@idem.IN.gov).

**PROCEDURES TO APPEAL**

The NPDES general permit documents are available for inspection at IDEM, Office of Water Quality/Permits Administration Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1255, from 9 -4, Monday-Friday (copies 10¢ per page). You may also contact the permit manager listed above to obtain an electronic copy of the NOI and IDEM's approval letter. Please tell others whom you think would be interested in this matter.

**Appeal Procedure:** Any person affected by the issuance of the Final Permit modification may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

**Timely filing:** The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:  
**Phone: 317/232-8591.**

Environmental Law Judge  
Office of Environmental Adjudication  
IGC – North Building- Rm 501  
100 N. Senate Avenue  
Indianapolis IN 46204

**Stay Time frame:** If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

**Hearing Notification:** Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.